

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In Re:

Colleen Anne Van Epps
Richard Alan Van Epps
Debtor(s)

Case No.: 2-17-21044-PRW
Chapter: 7

SSN: xxx-xx-6716
SSN: xxx-xx-5767

DEFICIENCY NOTICE

PLEASE TAKE NOTICE that the following document(s) contains deficiencies:

Docket # **23** – Motion to Reopen Chapter 7 to file a Motion to Avoid Judgment Liens. Filing Fee \$ 260. (Attachments: # 1 Affidavit Motion to Reopen # 2 Proposed Order # 3 Exhibit Exhibit A: Proposed Motion to Avoid Liens # 4 Certificate of Service) Filed on behalf of Joint Debtor Richard Alan Van Epps (Furlano, Michael)

MISSING OR INCOMPLETE:

- ☐ Amendment is missing: ☐ Cover Sheet; ☐ Certificate of Service; ☐ Amended Summary of Assets & Liabilities
☐ To e-file, use: Bankruptcy > Other > Amendment to Schedules and/or Statements Already Filed.
☐ To e-file, use: Bankruptcy > Other > Cover Sheet. ☐ To e-file, use: Bankruptcy > Other > Certificate of Service.
- ☐ Signature or Electronic Equivalent is missing from
- ☐ Chapter 13 Plan (Official Form 113): ☐ is missing the Debtor's signature; ☐ is missing the Attorney's signature;
☐ is missing the Exhibit: Total Amount of Estimated Trustee Payments; ☐ Current Version of Official Form 113 must be used, see Notice to Attorneys 17-02. *Certificate of Service of the plan* does not include ☐ all creditors; ☐ complete mailing addresses; ☐ method of service. File a new Certificate of Service indicating proper service.
- ☐ The Debtor name(s) on the pdf does not coincide with the case number.
- ☐ Cover Sheet: **To e-file, use: Bankruptcy > Other > Cover Sheet and link back to the original document.** [Click here for NYW Cover Sheets.](#)
- ☐ Notice of Motion: ☐ Incorrect Hearing Date; ☐ Incorrect Hearing Time; ☐ Incorrect Hearing Location.
Please consult the Court's website for available hearing dates. [Click here.](#)
- ☐ Notice of Motion: . Please consult the Court's website for available hearing dates. [Click here.](#)
- ☐ Certificate of service **To e-file, use: Bankruptcy > Other > Certificate of Service and link back to the original document.**
- ☒ Certificate of service. Please note that service on some or all of the parties on the recipient list may not be in compliance with the Federal Rules of Bankruptcy Procedure. **To e-file, use: Bankruptcy > Other > Certificate of Service and link back to the original document.** The Clerk's office cannot give legal advice.
- ☐ The required Supplement to Official Form 103B is missing. [Click here for Supplement.](#)
- ☐ Official Form 423 is missing. Without a completed Form 423 AND certificate number, this case will be closed without the entry of a discharge order. **To e-file, use: Bankruptcy > Other > Financial Management Course.**
- ☐ Proposed Order
- ☒ Other: Please refer to In re Christensen, 2015 Bankr. Lexis 3506, regarding the filing requirements when the purpose for reopening is to file a motion to avoid lien. The entire proposed motion for substantive relief must be attached, including filing a 522(f) cover sheet.

ADDITIONAL INFORMATION: Motion Practice and Hearing Scheduling Guidelines can be found on the Court's website at: www.nywb.uscourts.gov. [Click here.](#)

- ☒ This motion **WILL NOT** be considered by the Court.
- ☒ To e-file, use: Bankruptcy/Adversary > Motions > AMENDED MOTION. Link the Amended Motion to the original motion.
- ☐ To e-file, use: Bankruptcy >

Date: October 9, 2020

Lisa Bertino Beaser, Clerk of the Bankruptcy Court
By: A. Andrews, Deputy Clerk

Form defygen/Doc 25
www.nywb.uscourts.gov